

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON

ORVILLE C. MASSEY, JR.,

Petitioner,

v.

Case No. 2:08-cv-00936

DAVID BALLARD, Warden,
Mount Olive Correctional Complex,

Respondent.

O R D E R

Pending is Respondent's "Motion for Leave to File Under Seal Exhibits 9, 10, 12, 13, 14, 18 and 19 of Respondent's Motion for Summary Judgment" (docket sheet document # 12). Petitioner was convicted of numerous counts of sexual offenses involving a minor female victim, who had reached the age of majority at the time of Petitioner's trial. Both the victim's full maiden and married names appear throughout the record of the proceedings of the state court. In addition to the exhibits listed by Respondent, the undersigned's staff has determined that the victim's full name also appears in Exhibit 4.

Rule 5.2(a)(3) of the Federal Rules of Civil Procedure prohibits the electronic filing of a document containing the full name of an individual known to be a minor. Rule 5.2(c) authorizes the filing of documents electronically with limitations on remote access upon court order.

For good cause shown, it is hereby **ORDERED** that Respondent's motion (# 12) is **GRANTED IN PART** and **DENIED IN PART**, and the Clerk is directed to file the unredacted versions of Exhibits 4, 9, 10, 12, 13, 14, 18 and 19 with limitations on remote access in accordance with Rule 5.2(c).

The Clerk is directed to mail a copy of this Order to Petitioner and counsel of record.

ENTER: October 29, 2008



Mary E. Stanley
United States Magistrate Judge